

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

<b>STEVEN TENDO,</b> <i>Petitioner - Plaintiff,</i>	§	
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	§	
<i>v.</i>	§	<b>CIVIL ACTION 1:19-CV-0060</b>
	§	
<b>CARLOS RODRIGUEZ, et al.,</b> <i>Respondents - Defendants.</i>	§	
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	§	

**MOTION FOR TEMPORARY RESTRAINING ORDER**

Petitioner-Plaintiff, Steven Tendo (“Mr. Tendo”), by and through undersigned counsel, has filed a Petition for a Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief, and now in conjunction with that filing seeks a temporary restraining order (TRO) requiring that Respondents release him to his sponsor or place him in a community-based alternative to detention such as conditional release, with appropriate precautionary health measures on his own recognizance or with minimal bond, and refrain from moving him out of the jurisdiction or detaining him anew pending further proceedings in this case. Fed.R.Civ.P. 65.

Petitioner-Plaintiff files with this Motion for a Temporary Restraining Order a Memorandum in Support.

Mr. Tendo submits that he has shown (1) a substantial likelihood that he will prevail on the merits of his claim; (2) a substantial likelihood that he will suffer irreparable injury for which there is no adequate remedy in law if the injunction is not granted; (3) that his threatened injury outweighs the threat of harm to the parties whom he seeks to enjoin; and(4) that granting a TRO will not disserve the public interest.

A temporary restraining order presents no monetary risks to the Defendants, therefore, Mr. Tendo requests that no bond, or a bond of \$1.00 be set if required. Fed.R.Civ.P. 65(c).

For the reasons stated in the Memorandum, Mr. Tendo, by and through counsel, urges this Court to issue a Temporary Restraining Order.

Respectfully submitted April 24, 2020,

s// Cathy J. Potter  
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#### **CERTIFICATION**

Counsel for Plaintiff certifies that she notified Counsel for the Defendants of the intent to file this Motion for a Temporary Restraining Order by telephone on April 27, 2020.

A copy of this application, with all related filings was sent by electronic mail to Assistant U.S. Attorney Christopher Pineda at [Christopher.Pineda@usdoj.gov](mailto:Christopher.Pineda@usdoj.gov).

s// Cathy J. Potter  
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